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**Notice of Allowability**

Application No.

09/634,312

Examiner

Thoi V. Duong

Applicant(s)

KURIHARA ET AL.

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed March 19, 2007.
2. ☒ The allowed claim(s) ~~is~~ are 1-10, 13-15 and 18-20.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) <i>None</i>                               | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other _____   |

### DETAILED ACTION

1. This office action is in response to the Amendment filed March 19, 2007.

Accordingly, claim 1 was amended, and claims 12, 16 and 17 were cancelled.

Currently, claims 1-11, 13-15 and 18-20 are pending in this application.

### EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Frank V. DeRosa (Reg. No. 43,584) on May 18, 2007.

The application has been amended as follows:

In the title: change the title as "Touch sensor type liquid crystal display having a plurality of spacers, each comprising two members adapted to slide relative to each other in response to a contact force."

In the claims:

Claim 10: in line 13, after "the gap width", delete "." and insert --, and--;  
in line 14, insert --wherein said spacers are arranged in a black matrix region of the liquid crystal display panel--.

Claim 11: cancel claim 11.

***Allowable Subject Matter***

3. Claims 1-10, 13-15 and 18-20 are allowed.

The following is an examiner's statement of reasons for allowance: none of the prior art of record fairly suggests or shows all of the limitations as claimed. Specifically,

Re claims 1, 5, 10 and 13, none of the prior art of record discloses, in combination with other limitations as claimed, a touch sensor type liquid crystal display comprising a plurality of spacers interposed between the first and second substrates to control the gap width between the first and second substrates, wherein each spacer comprises a first member fixedly formed on the first substrate and having a first contact surface, and a second member fixedly formed on the second substrate and having a second contact surface in contact with the first contact surface of the first member, and wherein the first and second members are adapted to slide relative to each other along the first and second contact surfaces in response to a contact force while maintaining contact between the first and second contact surfaces to control the gap width.

The most relevant reference, US 5,499,128 issued to Hasegawa et al. (Hasegawa), fails to disclose or suggest the first and second members being adapted to slide relative to each other along the first and second contact surfaces in response to a contact force while maintaining contact between the first and second contact surfaces to control the gap width. As shown in Fig. 13, Hasegawa only discloses a spacer comprises a first member 112d fixedly formed on the first substrate 111 and having a first contact surface, and a second member 112d fixedly formed on the second

substrate 141 and having a second contact surface in contact with the first contact surface of the first member.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Conclusion**

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thoi V. Duong whose telephone number is (571) 272-2292. The examiner can normally be reached on Monday-Friday from 8:30 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms, can be reached at (571) 272-1787.

Thoi V. Duong



05/18/2007